

Senate Study Bill 3094

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CO=CHAIRPERSON KREIMAN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the criminal offense of child endangerment.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 6174SK 81
4 jm/sh/8

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1 1 Section 1. Section 726.6, subsection 1, paragraph d, Code
1 2 Supplement 2005, is amended to read as follows:
1 3 d. Willfully deprives a child or minor of necessary food,
1 4 clothing, shelter, health care, or supervision appropriate to
1 5 the child or minor's age, when the person is reasonably able
1 6 to make the necessary provisions and which deprivation
1 7 substantially harms the child or minor's physical, mental, or
1 8 emotional health. ~~For purposes of this paragraph, the failure~~
~~1 9 to provide specific medical treatment shall not for that~~
~~1 10 reason alone be considered willful deprivation of health care~~
~~1 11 if the person can show that such treatment would conflict with~~
~~1 12 the tenets and practice of a recognized religious denomination~~
~~1 13 of which the person is an adherent or member. This exception~~
~~1 14 does not in any manner restrict the right of an interested~~
~~1 15 party to petition the court on behalf of the best interest of~~
~~1 16 the child or minor.~~

EXPLANATION

1 17 This bill relates to the criminal offense of child
1 18 endangerment.
1 19
1 20 The bill strikes a provision exempting a person from
1 21 committing child endangerment based solely on the willful
1 22 deprivation of health care if the person can prove the reason
1 23 for withholding medical treatment is for religious purposes
1 24 and such treatment would conflict with the tenets and
1 25 practices of their religious denomination.
1 26 LSB 6174SK 81
1 27 jm:nh/sh/8